

ORIGINAL

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

ERIC S. MOORE, SR. and BRENDA MOORE,

Plaintiff

v.

SHAPIRO & BURSON, LLP,

Defendant

Norfolk Division  
Civil Action No. 4:11cv122

FILED

DEC 8 2011

CLERK, US DISTRICT COURT  
NORFOLK, VA

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Shapiro & Burson, LLP  
Serve: John Burson, Registered Agent  
13135 Lee Jackson Highway  
Suite 201  
Fairfax, VA 22033

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Joseph F. Verser, Esquire  
Jones, Blechman, Woltz & Kelly, P.C.  
701 Town Center Drive, Suite 800  
Newport News, VA 23606

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

*Fernando Galindo*

Signature of Clerk or Deputy Clerk

Date: 8-8-11

RECEIVED  
U.S. DISTRICT COURT  
NORFOLK, VA

2011 DEC -8 P 2:14

RECEIVED

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

PLEASE NOTE:

- The summons marked "ORIGINAL" is to be returned to the clerk's office with the back completed by the process server or with an attached affidavit of the process server. The return of summons is an exception to electronic filing and will be docketed by the Clerk's Office.
- The summons marked "ORIGINAL" is not to be given to the defendant.
- The front of the summons should not be altered in any manner. Please note that any change in the defendant's address is to be included in the server's return, not on the front of the summons. Please do not write, type, or stamp on the front of the summons.
- The defendant's copy of the summons is stapled to the other papers to be served.
- The entire stapled summons package is to be served upon the defendant.
- Nothing should be removed from the service package prepared by the clerk. Please do not remove the defendant's copy of the summons.

Thank you for your cooperation.

# UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

## NOTICE

### CONSENT TO TRIAL BY MAGISTRATE JUDGE

Pursuant to Federal Rule of Civil Procedure 73 and 28 U.S.C. § 636(c) you may request to have your case conducted before a United States Magistrate Judge upon consent of all parties and approval by a United States District Judge. In order to proceed before a Magistrate Judge, a consent form must be filed with the Clerk's Office. It may be filed jointly or separately. The consent form may be printed from the U.S. District Court website (listed below) or obtained from the Clerk's Office. Please refer to the previously mentioned rule for further information.

### FINANCIAL INTEREST DISCLOSURE STATEMENT

Pursuant to Local Rule 7.1, a financial disclosure statement must be filed by a "nongovernmental corporation, partnership, trust, [or] other similar entity that is a party to, or that appears in, an action or proceeding in this Court." This statement should be filed in duplicate with the party's "first appearance, pleading, petition, motion, response, or other request addressed to the Court". The financial interest disclosure statement may be printed from the U.S. District Court website (listed below) or obtained from the Clerk's Office. Please refer to the previously mentioned rule for further information. Failure to file the financial interest disclosure statement as required by Local Rule 7.1 will result in this first submission being filed subject to defect by the Clerk.

### WEBSITE AND CLERK'S OFFICES ADDRESSES

The website address for the U.S. District Court for the Eastern District of Virginia is [www.vaed.uscourts.gov](http://www.vaed.uscourts.gov). If you do not have access to a computer, contact one of the Clerk's Offices listed below to obtain either of these forms:

Albert V. Bryan United States Courthouse  
401 Courthouse Square  
Alexandria, VA 22314  
(703) 299-2101

Walter E. Hoffman United States Courthouse  
600 Granby Street  
Norfolk, VA 23510  
(757) 222-7201

Spottswood W. Robinson III and  
Robert R. Merhige, Jr., Federal Courthouse  
701 East Broad Street  
Richmond, VA 23219  
(804) 916-2220

United States Courthouse  
2400 West Avenue  
Newport News, VA 23607  
(757) 247-0784

## AFFIDAVIT OF SERVICE

COMMONWEALTH OF VIRGINIA

SERVICE OTHER THAN BY VIRGINIA SHERIFF

In the: UNITED STATES DISTRICT COURT, EASTERN  
DISTRICT OF VA - NORFOLK DIVISION

STATE/COMMONWEALTH OF:  
VA

ERIC S MOORE, SR., ET AL

In re/V.

CASE NO: 4:11CV122

SHAPIRO & BURSON, LLP

JOHN BURSON, REG AGENT

SHAPIRO & BURSON, LLP

13135 LEE JACKSON HWY, #201, FAIRFAX, VA 22033

is the name and address of the person upon whom service of the following is to be made.

Document SUMMONS IN A CIVIL ACTION

Served: COMPLAINT

FILED

DEC 8 2011

CLERK, US DISTRICT COURT  
NORFOLK, VA

I, the undersigned swear/affirm that I am a private process server, I am not a party to, or otherwise interested in the subject matter in controversy in this case, I am 18 years of age or older, and I served as shown below, the above named person upon whom service of process was to be made with copies described above.

Date and time of service: 11/30/11 @ 3:00 AM (PM)

Place of service if DIFFERENT than above:

METHOD OF SERVICE:



PERSONAL IN HAND to the individual named above.

Being unable to make personal service, a copy was delivered in the following manner:



ACCEPTED BY PERSON FOUND IN CHARGE of usual place of business or employment during business hours and giving information of its purport. Service accepted by:

Name:

Title



ACCEPTED BY FAMILY MEMBER (not temporary sojourner or guest) age 18 or older at usual place of abode, a party named hereinafter after giving information of its purport, the name, age and relationship of the recipient of the party named above is as follows:

TELEPHONE:

FAX NO.:

DESCRIPTION IF REQUIRED: 50's, M, WHITE, 5'11", 165 LBS, WHITE HAIR, WEARS GLASSES



POSTED on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

Dated: 12-01-11

DANIEL A. COPELAND

Name of Server (Print or Type):

Signature of Server

State / Commonwealth of VIRGINIA

City / County of FAIRFAX

Date: 12-01-11

My commission expires: 12-31-2012

Subscribed and sworn to/affirmed before me this day by:

DANIEL A. COPELAND

Signature of Notary Public

